

**MINUTES OF THE  
IMPROVEMENT & SERVICE COMMITTEE  
Wednesday, July 9, 2014  
ROOM 207, CITY HALL  
7:08 p.m.**

MEMBERS: Brian Danzinger, Joe Moore, David Nennig, Jerry Wiezbiskie

1. Approval of the minutes from the regular meeting on June 11, 2014.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the minutes from the regular meeting on June 11, 2014.

Motion carried.

2. Approval of the agenda.

To accommodate those in attendance, the agenda was taken in the following order: 1, 2, 4, 11, 6, 18, 8, 9, 14, then return to regular order.

A motion was made by Ald. Moore seconded by Ald. Wiezbiskie to approve the agenda as amended. Motion carried.

3. Request by Lionel Campos to rescind the early set out charge of \$59.00 at 1648 Franz Avenue.

DPW determined there have been no prior early set out charges at this address. Therefore, staff recommends approval of this request.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the request by Lionel Campos rescind the early set out charge of \$59.00 at 1648 Franz Ave. Motion carried.

4. Request by Ald. Thomas DeWane to have weekly pickup of garbage and recyclables at the Baird Creek Condos off Remington Road.

DPW Operations has met with representatives of the Baird Creek Condos to determine feasibility of this request. Operations plans to bring the equipment that would be collecting trash and recyclables from the condos to determine what changes, if any, would be needed to allow for collection. The Department will continue working with the Condo Association to allow for safe collection, and requested the Committee approve the request, provided the conditions stipulated in Chapter 9 of the Municipal Ordinances are met, and the required Hold Harmless Agreement is executed.

Ald. Tom DeWane thanked the Committee and Staff for their persistence on this issue, and the Condo Association for their patience. He also requested the floor be opened for public comment.

A motion was made by Ald. Moore, seconded by Ald. Nennig, to open the floor for public comment. Motion carried.

Burt Gangio, 2455 Remington Road, Suite 3, President of the Baird Creek Condominium Association, addressed the Committee. Mr. Gangio expressed the willingness of the Condo Association to work with the City to allow for pickup of trash and recycling within their complex.

They are willing to make the required changes, but expressed confusion on the scope of changes required. He also requested that the changes be limited to what is actually needed to allow the sanitation trucks access to the property.

Director Grenier and Chris Pirlot, Chief of Operations, assured Mr. Gangio that staff is willing to work with the Association to make sure the changes consist of what needs to be done and nothing more. By obtaining approval from Committee tonight and Council next week, the Department can continue efforts to make this work for both parties.

A motion was made by Ald. Moore, seconded by Ald. Nennig, to close the floor to public comment and return to regular order. Motion carried.

Ald. Steuer and Ald. Nennig posed questions to the Committee on the requirements for pickup, who utilizes pickup, and the reason for restrictions in collection for multi-family units. In general, most condo associations do not utilize City collection services, but there are some exceptions. Criteria were recently written into Chapter 9 of the Municipal Ordinances to provide requirements for those that wish to utilize City sanitation services. The genesis of the unit restrictions in the recycling collection requires additional research by staff.

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to approve the request by Ald. Thomas DeWane to have standard pickup of garbage and recyclables at the Baird Creek Condos off Remington Road, provided the conditions stipulated in Chapter 9 Municipal Ordinances are met and the required Hold Harmless Agreement is executed. Motion carried.

5. Request by Ald. Zima, on behalf of the neighborhood in/and around the corner of St. Paul Street and Nicolet Avenue, that the property at 852 Nicolet Avenue be exempted from the street terrace policy.

Director Grenier circulated photos of the property in question and a petition of support provided by Ald. Zima. The landscaping planted in the terrace is in excess of 12" in height and does not have an 18" buffer from the back of curb and sidewalk. For these reasons, it does not comply with the City terrace policy. Removal orders were issued by the City Inspections Department, which have been delayed pending the results of this request.

Tall plants in the terrace area can limit sight distances, making it more difficult to see cars, pedestrians, and other potential safety issues in the terrace. The 18" buffer is required to prevent dirt, mulch, and other organic matter from running off into the City's storm sewer system, where it can negatively impact total suspended solids and phosphorus loading; both parameters are regulated by the City's MS4 permit. The City Terrace Policy also prevents items in the terrace that are viewed as a public safety hazard, such as large landscaping rocks, raised planter beds, etc. This address is not viewed as a public safety concern at this time.

After some discussion, it was agreed that a one-year extension would be granted. The Director was asked to write a letter to the landowner, explaining the steps that would have to be taken to become compliant with the terrace policy. Additionally, any vegetation in the terrace exceeding 36" in height would have to be removed immediately, as it poses a potential sight distance hazard. The Department should also develop a Hold Harmless Agreement for execution with the landowner.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to approve for one year the request by Ald. Zima, on behalf of the neighborhood in and around the corner of St. Paul Street and Nicolet Avenue, that the property at 852 Nicolet Avenue be exempted from the street terrace policy. Motion carried.

6. Request by Ald. Scannell, on behalf of resident at 604 James Street, for an exemption to the street terrace policy.

Director Grenier reviewed the request with the Committee. In 2013, the Committee agreed to grant this residence a one-year exemption from the terrace policy, to allow the resident, Mr. Ferrell, to harvest the vegetable garden he had already planted in the terrace, subject to the execution of a Hold Harmless Agreement. The 2013 Agreement was never executed, and Mr. Ferrell replanted his garden in 2014, with some modifications. A berm was constructed 24" from the curb to prevent runoff, and low-grow grass seed was planted between the curb and the berm to prevent runoff. It appeared that these items were constructed as an attempt to adhere to the spirit of the Terrace Policy. However, since the Terrace Policy specifically prohibits vegetable gardens in the terrace, the Director cannot authorize this use of the terrace without Committee approval of an exemption.

Director Grenier also reviewed the reasons for the restrictions in the Terrace Policy, as described in Item 5 of these minutes.

A motion was made by Ald. Moore, seconded by Ald. Nennig, to open the floor to public comment. Motion carried.

Patrick Ferrell, 604 James Street, addressed the Committee. He noted other locations that have gravel and large stones in the terrace, and questioned why these were acceptable but his garden was not. He also acknowledged the Terrace Policy, and confirmed that the changes he made to the garden were in response to it. He understands that the garden may be dug out if utility work is required in the terrace, and states he will return the garden to turf grass if he is ever physically unable to care for it properly.

A motion was made by Ald. Moore, seconded by Ald. Wiezbiskie, to return to regular order. Motion carried.

After some discussion, the Committee agreed that another annual extension could be granted, provided a Hold Harmless Agreement is executed by August 1, 2014. Additionally, Mr. Ferrell was directed that he should request any future exemptions prior to planting his vegetable garden.

A motion was made by Ald. Moore and seconded by Ald. Wiezbiskie to approve the request by Ald. Scannell, on behalf of resident at 604 James Street, for an exemption to the street terrace policy, provided a Hold Harmless Agreement is executed on or before August 1, 2014. Motion carried.

7. Request by Ald. Wiezbiskie, on behalf of Samantha Francar, for additional overnight residential parking at 3031 Lawndale Drive.

Director Grenier reviewed the email he received detailing the request. Ms. Francar is a UW-Green Bay student living with others. They have enough parking for those living at the residence, but not enough to accommodate family or friends when they visit. They have already exceeded their six allotted requests, and still have half of a calendar year remaining.

Based on past practices, the Committee recommended Ms. Francar be granted an additional six overnight residential parking occurrences through the end of 2014.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the request by Ald. Wiezbiskie, on behalf of Samantha Francar, for 6 additional overnight residential parking at 3031 Lawndale Drive. Motion carried.

8. Request by Ald. Steuer to look into the replacement of a cement portion of a sidewalk near a garage at 1698 Nancy Avenue.

Director Grenier directed the Committee to their packets, which contained a map and photos of the sidewalk in question. He explained where the crack is located, and its proximity to the nearest terrace tree. A DPW Engineering Technician evaluated the crack in the sidewalk, and determined that the terrace tree was not the cause of the crack. The City Forester was also asked to evaluate the sidewalk crack, and independently determined that the terrace tree did not cause it. When this request was made, Director Grenier also drove to the location to look at the crack. Based on his professional opinion, the crack is not due to the terrace tree, as it is located in an area of concentrated stress at the corner of a building. It is not unusual to see pavement crack in this location, with or without the presence of terrace trees.

Ald. Steuer thanked Staff and the Committee for their attention to this matter. After some discussion, the Committee requested the Director draft a letter giving the resident options to repair the crack, and a list of contractors who may be available to complete any concrete work that may be needed.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to receive and place on file the request by Ald. Steuer to look into the replacement of a cement portion of a sidewalk near a garage at 1698 Nancy Avenue. Motion carried.

9. Request by Ald. Steuer to get an understanding with financial fees with respect to the mini-sewer program.

Director Grenier summarized the stormwater connection fee. The \$825 connection fee is an estimated cost for a contractor to core into a City storm sewer and lay 35' of pipe from the sewer to the right-of-way line to allow a resident to connect their sump pump to the storm sewer. It does not include any pavement repair or permit fees. It's also calculated assuming the construction is occurring in an open field without obstructions or other issues that would increase construction costs.

When a new subdivision is constructed by a developer, the developer pays for the connection and the cost of it is rolled into the lot cost. When the City constructs a new development, the cost is assessed against the lot. For areas where a storm sewer is present but the connection has not been previously made, it is the responsibility of the resident to pay the connection fee.

The mini-storm sewer program is a program where Public Works installs 6" diameter pipe behind the back of curb to allow residents to hook their sump pump discharges to the system without having to cross the street to get to a storm sewer. It is fully funded by the storm water utility, and residents are not assessed the costs of the installation of the pipe. The resident is charged the same connection fee for connecting to a mini-sewer that would have been paid if a storm sewer connection was made. Mini sewers are installed if a resident or Alderperson requests a pipe be installed, or if Inspections Department determines that the drainage issue has risen to the level of a nuisance. In recent years, the majority of mini storm sewer installations have been at the request of a resident or Alderperson to address backyard drainage issues.

Other details of the mini-storm sewer program, unrelated to fees, were also discussed.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to receive and place on file the request by Ald. Steuer to get an understanding with financial fees with respect to the mini-sewer program. Motion carried.

10. Request by Ald. Nicholson to consider allowing modifying City ordinance to require parking on driveway surfaces in the terrace only in a manner that is perpendicular to the roadway.

Chris Pirlot, Chief of Operations, reviewed a Powerpoint presentation that included photos of acceptable and unacceptable parking practices. City Ordinance excludes the driveway apron from the definition of the terrace, so parking on your driveway is not considered terrace parking. Residents can park in any manner on their driveways, as long as the vehicles do not obstruct the sidewalk, if present, and remain on the paved surface. The request to prevent parking on the driveway apron parallel to the direction of traffic has been made multiple times in the past. Typically, residents park in this manner in areas where the driveways are short and parking perpendicular to the flow of traffic would obstruct the sidewalk. Preventing this type of parking may cause an increase in vehicles being parked on the street overnight or on non-paved surfaces. At this time, no citation is issued for parking in the driveway apron parallel to the direction of traffic flow.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to receive and place on file the request by Ald. Nicholson to consider allowing modifying City ordinance to require parking on driveway surfaces in the terrace only in a manner that is perpendicular to the roadway. Motion carried.

11. Request by Ald. Chris Wery, on behalf of resident, to waive the fees to connect to the storm sewer at 1213 Cleveland Street (held from June 11, 2014 meeting).

Director Grenier and Ald. Danzinger recapped the discussion from the previous meeting. When the property in question was sold in 2008, it was erroneously stated that there was no storm sewer available, so no connection was required. That error has since been found out, and the property is required to connect before the next sale. Mr. David Walters, the owner, has asked for consideration because of the increased expense that resulted from the error.

Ald. Danzinger stated that the connection is required, so some fee should be collected to compensate the department for the work. However, this should be balanced against the increase in cost experienced by the homeowner because of the administrative error. He polled the Committee for their thoughts and proposed waiving the permit fee and charging the connection fee from 2008, which was \$600.

A motion was made by Ald. Moore, seconded by Ald. Nennig, to open the floor to public comment. Motion carried.

David Walters, 1213 Cleveland Street, presented the Committee with copies of his original inspection and correspondence related to this issue. He reiterated that had he known that a connection was required, he would have asked the previous homeowner to make the connection prior to the sale of the home. He wants to know how much the fee will be so he can complete the work prior to the sale of his home. He had no set timetable for the sale of his home or the completion of the connection.

Discussion occurred regarding the frequency of these types of situations and the options open to residents whose properties lack sump pump connections. Director Grenier stated that he wanted this issue resolved in a timely manner, and was willing to waive the connection fee in exchange for the work being completed by the end of 2014. After some discussion with Mr. Walters, it was agreed that the work could be completed by the end of 2015 to give Mr. Walters some time to plan his budget accordingly.

A motion was made by Ald. Moore, seconded by Ald. Wiezbiskie, to return to regular order. Motion carried.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the request by Ald. Chris Wery, on behalf of resident, to waive the fees to connect to the storm sewer at 1213 Cleveland Street, provided the work is complete by the end of 2015. Motion carried.

12. Request by the Department of Public Works for review and approval of the State Municipal Agreement for the reconstruction of Gray Street from Dousman Street to Velp Avenue.

The Wisconsin Department of Transportation, through its STP-Urban Program, would like to enter into an agreement with the City of Green Bay for the reconstruction of Gray Street, from Dousman Street to Velp Avenue. As part of this agreement, the State will pay up to 80% of the total project costs, capped at the amount listed in the agreement. The reconstruction of Gray Street is scheduled for State Fiscal Year 2017, with Mather Street, addressed in the next item, scheduled for State Fiscal Year 2018. Staff recommends the approval of the agreement, and requests authorization for the Director to execute the agreement.

Ald. Wiezbiskie asked if Items 12 and 13 could be handled together. It was determined that they could be considered together.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by the Department of Public Works for review and approval of the State Municipal Agreement for the reconstruction of Gray Street from Dousman Street to Velp Avenue and authorize the Director to execute the agreement. Motion carried.

13. Request by the Department of Public Works for review and approval of the State Municipal Agreement for the reconstruction of Mather Street from Vroman Street to Roy Avenue.

This item was addressed in conjunction with Item 12. Please refer to Item 12 for more information.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by the Department of Public Works for review and approval of the State Municipal Agreement for the reconstruction of Mather Street from Vroman Street to Roy Avenue and authorize the Director to execute the agreement. Motion carried.

14. Report of the Purchasing Manager:

A. Request approval to award the purchase of a 2014 Zero Turn Lawn Mower to Ambrosius Sales & Service for \$11,300.

B. Request approval to enter into a 5-year purchase agreement with Rehrig Pacific for recycling carts for approximately \$50,000.

Both purchases were advertised through the Purchasing Department, using the normal bidding process. DPW and Purchasing recommends the award of the contracts to the low, responsive bidder in both cases. For Item 14B, it should be noted that Rehrig Pacific is the provider of the green automated trash carts used by the City.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the report of the Purchasing Manager:

A. To award the purchase of a 2014 Zero Turn Lawn Mower to Ambrosius Sales & Service for \$11,300.

B. To enter into a 5-year purchase agreement with Rehrig Pacific for recycling carts for approximately \$50,000. Motion carried.

15. Review and award the following contracts to the low, responsive bidders:

- A. SEWERS 3-14
- B. PARKS PROJECT 1-14
- C. PARKS PROJECT 2-14

Director Grenier reviewed all three contracts with the Committee. Sewers 3-14 is the 2014 mini-sewer contract; Parks Project 1-14 is the Bay Beach Concession Stand; and Parks Project 2-14 is the extension of the West Side Railroad Corridor Trail constructed in 2013. For both Parks projects, Parks has provided written concurrence with the award of the contract. Staff recommends award of all three contracts.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to approve the award of the following contracts to the low, responsive bidders:

- A. SEWERS 3-14 to the low responsive bidder, Dorner Inc, in the amount of \$161,905.50.
- B. PARKS 1-14 to the low responsive bidder, Peters Concrete Company, in the amount of \$96,164.95.
- C. PARKS 2-14 to the low responsive bidder, Peters Concrete Company, in the amount of \$135,035.20.

Motion carried.

16. Request by The Heel Health Shoe Store Inc. to allow the placement of tables within the right-of-way at 115 N Adams Street.

Director Grenier referred the Committee to their packets, which contained a map and picture of the location in question. The Heel Health Shoe Store Inc. wants to place tables on the pavers in the right-of-way to allow for merchandise display. The concrete portion of the sidewalk would still be available, and would provide adequate slope and width to maintain ADA accessibility. Staff recommends approval of this request.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by The Heel Health Shoe Store Inc. to allow the placement of tables within the right-of-way at 115 N Adams Street, subject to the execution of a Hold Harmless Agreement and placing the required insurance on file. Motion carried.

17. Request by Green Bay Area Public School District to place an electrical transformer within the public alley previously closed to vehicular traffic between S Monroe Avenue and S Quincy Street southerly of E Walnut Street to serve DaVinci School at 139 S Monroe Avenue.

At a previous meeting, the Committee approved the request to close this portion of the alley in question to traffic. This request was made to allow Green Bay Area Public Schools to place a transformer in the alley to serve the new DaVinci School, which is currently undergoing renovations. Staff recommends approval of this request.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by Green Bay Area Public School District to place an electrical transformer within the public alley previously closed to vehicular traffic between S Monroe Avenue and S Quincy Street southerly of E Walnut Street to serve DaVinci School at 139 S Monroe Avenue. Motion carried.

18. Request by Millennium Architects on behalf of TOHO Properties, LLC for an Air Rights Easement to allow the installation of signs above the N Broadway and Dousman Street right-of-way.

Director Grenier referred the Committee to their packets, which contained a rendering of the sign in question. The new sign would be adjacent to the Advance Aquarium sign, as shown in the packet. Staff recommends approval of this request.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by Millennium Architects on behalf of TOHO Properties, LLC for an Air Rights Easement to allow the installation of signs above the N Broadway and Dousman Street right-of-way, subject to the execution of a Hold Harmless Agreement and placing the required insurance on file. Motion carried.

19. Application for Concrete Sidewalk Builder's License by Concrete Finisher's.

DPW reviewed this applicant and recommends approval of the application.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the application for Concrete Sidewalk Builder's License by Concrete Finisher's. Motion carried.

20. Applications for an Underground Sprinkler System License by the following:

- A. Fox Valley Irrigation, Inc.
- B. VanDeYacht Lawn Sprinklers, Inc.
- C. Rain Master Irrigation Inc.

DPW reviewed all three applicants and recommends approval of the applications.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the applications for Underground Sprinkler System Licenses by the following:

- A. Fox Valley Irrigation, Inc.
- B. VanDeYacht Lawn Sprinklers, Inc.
- C. Rain Master Irrigation Inc.

Motion carried.

21. Director's Report

Streets Department continues patching potholes throughout the City.

Sanitation Department is proud to announce 100% conversion to automated trash collection. The conversion process has gone very smoothly. We are currently in the middle of one of four scheduled overflow trash pickup weeks. The brush crew is now keeping up with brush collection real-time, which prevents the issue of brush remaining for long durations in the terrace awaiting pickup.

Sewers Department is conducting routine cleaning operations throughout the City. Recently, Brown County Emergency Management was receiving calls complaining of the emergency sirens going off intermittently without severe weather in the area. Upon further investigation, it was determined that the Sewer Section's Vactor trucks cause the storm inlets to whistle when cleaning is in progress, which sounds similar to the emergency sirens. If any Alderperson receives complaints about the functionality of the emergency siren system, please feel free to call DPW to determine if the vac trucks were cleaning in the vicinity.



Construction is ongoing for the Engineering Department, which has been challenging given the short staffing situation they are experiencing. We continue to try to recruit to fill our vacancies, but qualified applicants have been hard to come by. In August, the Department plans to bring a Salary Study before the Personnel Committee which may help make recruitments easier in the future.

A motion was made by Ald. Moore, seconded by Ald. Wiezbiskie, to receive and place on file the Director's Report. Motion carried.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Moore to adjourn the meeting. Motion carried.

Meeting adjourned at 8:59 p.m.